

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
CHATTANOOGA DIVISION**

\_\_\_\_\_  
IN RE CBL & ASSOCIATES PROPERTIES,  
INC. SECURITIES LITIGATION  
\_\_\_\_\_

)  
) Consolidated Case No.  
) 1:19-CV-181-JRG-CHS  
)

**JOINT STATUS REPORT**

Lead Plaintiffs Jay B. Scolnick, Mark Shaner, Charles D. Hoffman, and HoffInvestCo (“Lead Plaintiffs”) and Defendants Charles B. Lebovitz, Stephen D. Lebovitz, Farzana Khaleel, A. Larry Chapman, Augustus N. Stephas, and Don Sewell (“Defendants,” and together with Lead Plaintiffs, the “Parties”), respectfully submit this Joint Status Report in response to the Court’s December 12, 2022 Order (Dkt. 202), which supplements the joint status reports filed on December 23, 2022 (Dkt. 204) and January 4, 2023 (Dkt. 207).

The Parties conducted a third mediation on January 31, 2023, which was unsuccessful. The Parties are willing to mediate before Magistrate Judge Steger at the earliest mutually agreeable time and believe that doing so could be beneficial, provided that this Court approves.

Respectfully submitted this 14th day of February, 2023.

/s/ Michael J. Klein

Jeffrey S. Abraham (*pro hac vice*)  
Michael J. Klein (*pro hac vice*)  
**ABRAHAM, FRUCHTER &  
TWERSKY, LLP**  
450 Seventh Avenue, 38th Floor  
New York, New York 10123  
Tel: (212) 279-5050  
Fax: (212) 279-3655  
jabraham@aftlaw.com  
mklein@aftlaw.com

Jeremy A. Lieberman (*pro hac  
vice*)  
Michael J. Wernke (*pro hac vice*)

/s/ Scott M. Shaw

Scott M. Shaw (TN BPR #019171)  
**EVANS HARRISON HACKETT  
PLLC**  
One Central Plaza, Suite 800  
835 Georgia Avenue  
Chattanooga, TN 37402  
Telephone: (423) 693-2179  
Fax: (423) 648-7897  
sshaw@ehhlaw.com

B. Warren Pope (*pro hac vice*)  
Peter M. Starr (*pro hac vice*)  
Matthew B. Rosenthal (*pro hac vice*)  
**KING & SPALDING LLP**

**POMERANTZ LLP**

600 Third Avenue, 20th Floor  
New York, New York 10016  
Tel: (212) 661-1100  
Fax: (212) 661-8665  
jalieberman@pomlaw.com  
mjwernke@pomlaw.com

*Co-Lead Counsel for the Class*

John W. Chandler, Jr.  
**THE HAMILTON FIRM**  
2401 Broad Street, Suite 102  
Chattanooga, TN 37408  
Tel: (423) 634-0871  
Fax: (423) 634-0874  
Jwc@thehamiltonfirm.com

Al Holifield (BPR# 015494)  
Sarah R. Johnson (BPR# 030781)  
**HOLIFIELD & JANICH PLLC**  
11907 Kingston Pike Suite 201  
Knoxville, Tennessee 37934  
Tel: (865) 566-0115  
Fax: (865) 566-0119  
aholifield@holifieldlaw.com  
sjohnson@holifieldlaw.com

*Co-Liaison Counsel for the Class*

**BRONSTEIN, GEWIRTZ &  
GROSSMAN, LLC**  
Peretz Bronstein  
60 East 42nd Street, Suite 4600  
New York, NY 10165  
Tel: (212) 697-6484  
Fax: (212) 697-7296  
peretz@bgandg.com

*Additional Counsel for Jay  
Scolnick*

**KASKELA LAW LLC**  
D. Seamus Kaskela  
18 Campus Boulevard, Suite 100  
Newtown Square, PA 19073

1180 Peachtree Street, N.E.  
Atlanta, Georgia 30309-3521  
Telephone: (404) 572-4600  
Fax: (404) 572-5100  
wpope@kslaw.com  
pstarr@kslaw.com  
mrosenthal@kslaw.com

Gregory C. Cook (*pro hac vice*)  
L. Conrad Anderson, IV (*pro hac  
vice*)

**BALCH & BINGHAM LLP**  
1901 Sixth Avenue, N., Suite 1500  
Birmingham, Alabama 35203  
Telephone: (205) 226-3426  
gcook@balch.com

*Counsel for Defendants*

Tel: (484) 258-1585  
skaskela@kaskelalaw.com

*Additional Counsel for Mark  
Shaner*

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on February 14, 2023, a true and exact copy of the foregoing has been electronically transmitted to the Clerk of Court using the ECF System for filing, which will provide electronic notice of filing to all counsel of record.

**ABRAHAM, FRUCHTER  
& TWERSKY, LLP**

By: /s/ Michael J. Klein  
Michael J. Klein (*pro hac vice*)